



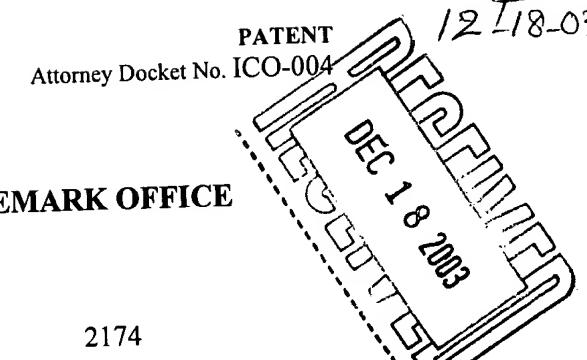
217419  
12-18-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Elsbree et al.  
APPLICATION NO.: 09/478,775 GROUP NO. 2174  
FILING DATE: January 6, 2000 EXAMINER: Thomas J. Joseph  
TITLE: Graphical Human-Machine Interface on a Portable Device

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PATENT  
Attorney Docket No. ICO-004



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NOV 26 2003

Technology Center 2100

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and other documents listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and other documents are enclosed. In addition, Office Actions have been issued in co-pending patent applications 09/267,204 and 09/419,239.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

(1) within three (3) months of the **filling date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

(2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and

the requisite Statement is below, **OR**

the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

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180.00 op

(3) after the mailing date of a **final action or notice of allowance** but before the payment of the **issue fee**, **AND**

the requisite Statement is below, **AND**

the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

Respectfully submitted,



Edward A. Gordon  
Attorney for the Applicants  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

Date: November 21, 2003  
Reg. No. 54,130

Tel. No.: (617) 310-8619  
Fax No.: (617) 248-7100

2710142\_1



PATENT  
Attorney Docket No. ICO-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

APPLICANT(S): Elsbree et al.

NOV 26 2003

APPLICATION NO. 09/478,775 GROUP NO.

2174 Technology Center 2100

FILING DATE: January 6, 2000 EXAMINER:

Not yet assigned

TITLE: Graphical Human-Machine Interface on a Portable Device

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 26 day of November, 2003.

  
\_\_\_\_\_  
Susan Boucher

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

Transmittal Form (1 page); Fee Transmittal (1 page); check in the amount of \$180.00; Second Supplemental Information Disclosure Statement (2 pages); Second Supplemental PTO Form 1449 (3 pages); copies of cited references (A3-A17, B1-B8, C1-C20); and a return-receipt postcard.

2714341\_1



**TRANSMITTAL  
FORM**

**RECEIVED**

**Technology Center 2100**

	Application Number	09/478,775
	Filing Date	January 6, 2000
	First Named Inventor	Elsbree
	Group Art Unit	2174
	Examiner Name	Thomas J. Joseph
	Attorney Docket No.	ICO-004 (4594/11)
	BATCH NO. (after allowance)	Not applicable
	Patent No.	Not applicable
	Issue Date	Not applicable

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets <u>      </u> ]	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> CD(s) for large table or computer program	
<input checked="" type="checkbox"/> Second Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Second Supplemental Form PTO-1449 <input checked="" type="checkbox"/> Copies of SIDS Citations (A3-A17, B1-B8, C1-C20)	<input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above		

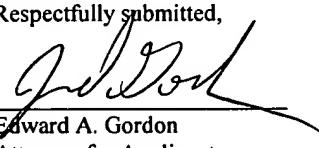
**CORRESPONDENCE ADDRESS**

**SIGNATURE BLOCK**

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibeault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

Date: November 21, 2003  
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Respectfully submitted,

  
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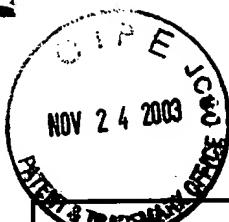
<p style="text-align: center;"><b>TRANSMITTAL</b> FY 2004 NOV 24 2003</p> <p style="text-align: right;"><i>TRADEMARK</i> <i>JSC</i></p>		<i>Complete if Known</i>																																																																																					
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<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>																																																																																					
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2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.		<b>3. ADDITIONAL FEES</b>																																																																																					
3. <input type="checkbox"/> Applicant claims small entity status.		<table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr> <tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>420</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>950</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1480</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>2010</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>330</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>330</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>290</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>180.00</td></tr> <tr><td>770</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>770</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td><td></td></tr> <tr><td>110</td><td>55</td><td>Submission of Terminal Disclaimer</td><td></td></tr> <tr><td colspan="2">Other fee (Specify)</td><td colspan="2"></td></tr> <tr><td colspan="2">Other fee (Specify)</td><td colspan="2"></td></tr> </tbody> </table>		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1480	740	Extension for reply within fourth month		2010	1005	Extension for reply within fifth month		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement	180.00	770	385	Filing a submission after final rejection (37 CFR 1.129(a))		770	385	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		110	55	Submission of Terminal Disclaimer		Other fee (Specify)				Other fee (Specify)			
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Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100		Respectfully submitted,  Edward A. Gordon Attorney for the Applicants Testa, Hurwitz & Thibeault, LLP High Street Tower-125 High Street Boston, MA 02110																																																																																					

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SHEET 1 OF 3



FOR FTO - 1449

SECOND SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT

ATTORNEY DOCKET NO. ICO-004 (4594/11)

APPLICANTS: Elsbree et al.

APPLICATION NO. 09/478,775

FILING DATE: January 6, 2000 GROUP: 2174

## U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A3	4,141,066	2/20/79	Keiles	364	119	9/13/97
	A4	5,671,415	9/23/97	Hossain	395	701	6/1/94
	A5	5,762,912	3/10/98	Krall, Jr. et al.	364	550	9/6/96
	A6	5,812,668	9/22/98	Weber	380	24	6/17/96
	A7	5,815,657	9/29/98	Williams et al.	395	186	4/26/96
	A8	5,818,447	10/6/98	Wolf et al.	345	335	6/6/96
	A9	5,828,840	10/27/98	Cowan et al.	395	200.33	8/6/96
	A10	5,835,914	11/10/98	Brim	707	206	2/18/97
	A11	5,850,446	12/15/98	Berger et al.	380	24	6/17/96
	A12	5,910,895	6/8/99	Proskauer et al.	364	468.28	6/13/97
	A13	5,938,781	8/17/99	Proskauer	714	724	10/13/98
	A14	6,032,203	2/29/00	Heidhues	710	11	4/7/97
	A15	6,131,122	10/10/00	Sampson	709	227	6/1/98
	A16	6,151,625	11/21/00	Swales et al.	709	218	4/30/99
	A17	6,389,464	5/14/02	Krishnamurthy et al.	709	220	6/27/97

## FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B1	0 762 273 A1	3/12/97	EP	G06F	9/44	9/4/96	N	Y
	B2	0 825 506 A2	2/25/98	EP	G05B	19/418	7/14/97	N	Y
	B3	0 266 784 A2	5/11/88	EP	G05B	19/417	11/6/87	N	Y
	B4	0 460 308 A1	12/11/91	EP	G06F	11/14	6/5/90	N	Y



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SHEET 2 OF 3

FORM PTO - 1449  SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT					ATTORNEY DOCKET NO. ICO-004 (4594/11)  APPLICANTS: Elsbree et al.  APPLICATION NO. 09/478,775  FILING DATE: January 6, 2000 GROUP: 2174				
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B5	0 566 283 A2	10/20/93	EP	G05B	19/00	4/1/93	N	Y
	B6	0 778 688 A2	6/11/97	EP	H04L	29/06	11/19/96	N	Y
	B7	0 810 499 A2	12/3/97	EP	G05B	19/418	6/1/93	N	Y
	B8	97/00475	1/3/97	WO	G06F	9/46	6/13/96	N	Y
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	C1	B. Anger, Windows NT and 95 OSs, OPC, ActiveX, and RAD Tools Shape Course of OL Software, I & CS Industrial and Process Control Magazine, Vol. 69, November 1996, pgs. 49-54.							
	C2	E. Bassett, Making the OPC Connection, Start Magazine Vol. 2 No. 4, July/August 1998, downloaded 02/24/99 from <a href="http://www.startmag.com/v2n4opcp002.htm">http://www.startmag.com/v2n4opcp002.htm</a> , 3 pages							
	C3	M. Edmond, Efforts Advance to Tie Shop-Floor Automation to Back-Office Systems, Start Magazine, Vol. 2 No. 1, January/February 1998, downloaded 02/24/99 from <a href="http://www.startmag.com/v2n1opc1.htm">http://www.startmag.com/v2n1opc1.htm</a> , 6 pages							
	C4	M. Edmund, 51 Companies were selected as The Hottest Companies in 1998 after months of deliberation by a panel of start's editors, Start Magazine Vol. 2 No. 4, July/August 1998, downloaded 02/24/99 from <a href="http://www.startmag.com/v2n4p030.htm#ICONICS">http://www.startmag.com/v2n4p030.htm#ICONICS</a> , 23 pages							
	C5	ICONICS DataWorX32, OPC Redundancy & Bridging, <a href="http://www.iconics.com/Genesis32/DataworX_99.htm">http://www.iconics.com/Genesis32/DataworX_99.htm</a> , printed 10/15/99.							
	C6	Microsoft Corporation, COM Technologies Home Page, downloaded 03/12/98 from <a href="http://www.microsoft.com/com/comintro.htm">http://www.microsoft.com/com/comintro.htm</a> , 1 page							
	C7	National Instruments: "Graphical Programming for PC Automation" Instrupedia 97. Your Interactive Encyclopedia For Instrumentation, vol. 2, no. 1, 1997, pages 6-21 to 6-28, XP-002132205.							
	C8	National Instruments, OPC - Frequently Asked Questions, downloaded 03/12/98 from <a href="http://www.natinst.com/automation/opc_faq.htm">http://www.natinst.com/automation/opc_faq.htm</a> , 2 pages							
	C9	OPC Programmers' Connection, History of OPC, downloaded 03/12/98 from <a href="http://www.dspace.dial.pipex.com/town/estate/0n50/history.shtml">http://www.dspace.dial.pipex.com/town/estate/0n50/history.shtml</a> , 2 pages							
	C10	OPC ToolWorX, downloaded 03/12/98 from <a href="http://www.iconics.com/opc/toolw2.htm">http://www.iconics.com/opc/toolw2.htm</a> , 3 pages							



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SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		APPLICANTS: Elsbree et al. APPLICATION NO. 09/478,775 FILING DATE: January 6, 2000 GROUP: 2174
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
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